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C O N F I D E N T I A L HARARE 001943

SIPDIS

STATE FOR AF FOR A/S KANSTEINER AND PDAS SNYDER; AF/S FOR
DELISI AND RAYNOR; AF/PDPA FOR DALTON, MITCHELL AND SIMS
NSC FOR JENDAYI FRAZER
LONDON FOR GURNEY
PARIS FOR NEARY
NAIROBI FOR PFLAUMER
GUATEMALA CITY FOR DCM WHARTON

E.O. 12958: DECL: 09/24/2013

TAGS: [PREL](#) [PHUM](#) [KPAO](#) [KMDR](#) [ZI](#)

SUBJECT: GOZ GIVES FURTHER PROOF OF INTENT TO SHUT DOWN THE
INDEPENDENT PRESS

REF: A. REF A: HARARE 1933

[1](#)B. REF B: 1887

Classified By: JPOLACHECK FOR REASONS 1.5 b/d

[1](#)1. (C) On Sept 22, 2003, the police picked up four directors, including CEO Sam Nkomo, of Associated Newspapers of Zimbabwe (ANZ), the parent company of The Daily News (TDN), which was the only independent daily newspaper in Zimbabwe. At the station, the police took the directors, statements, and charged them under Sec. 73 of the Orwellian Access to Information and Privacy Protection Act (AIPPA) for illegally operating a mass media organization without registering with the Media and Information Commission (MIC). These charges stem from the Sept 12 publication of TDN after the Sept 11 Supreme Court ruling, brushing aside ANZ,s constitutional challenge to AIPPA and declaring ANZ,s operations "illegal". Another director was charged on the 23rd, and the Sept 23rd edition of the government controlled "The Herald" (which reports directly to Minister of Information Jonathan Moyo) declared that the authorities were seeking the remaining directors. ANZ said they pleaded neither guilty nor not-guilty, but rather challenged again the constitutionality of AIPPA. Their plea was not reported in "The Herald".

[1](#)2. (C) While defending their directors in criminal court, ANZ is moving forward on three legal fronts in an attempt to get TDN back on the street. They had already filed an urgent application with the Administrative Court (ref A) to review the MIC decision to deny ANZ registration. Gugulethu Moyo, ANZ,s legal counsel, said there has been no movement on that application, and so ANZ filed another application in effect suing the court to consider their case. As a result of the Sept 22 charges against the directors, the police obtained a search and seizure warrant and removed, for the second time in eight days (ref B), computers from TDN newsroom (this shuttling back and forth from the police warehouse of TDN,s computers occurs during a petrol crisis that reduces many police to riding in private cars even when responding to emergency calls on domestic abuse. END NOTE). An urgent High Court Application was filed asking for the nullification of the warrant, as the facts in the case are not in dispute. Moyo feels the asset seizure is an intelligence gathering exercise for the internal intelligence services as the computers contain reporters, notes, contacts, details, etc.

[1](#)3. (SBU) The Media Insitute of Southern Africa/Zimbabwe (MISA/Z) is attempting to spearhead a civil society protest against the closure of TDN. A coalition of groups will meet on the 24th, with possible boycotts of the propaganda-filled "The Herald" and "The Chronicle" (the other government-controlled daily) in the works. MISA/Z has been targeted in the government press as a mass-media organization needing to register with the MIC. Published comments by the MIC chairman denigrating MISA/Z are similar to those he made about TDN before the police occupied TDN,s offices on Sept [1](#)2. MISA/Z is a media-watchdog NGO.

[1](#)4. (C) COMMENT Earlier hopes that the GOZ was simply trying to intimidate ANZ now appear optimistic. This attack on the free press of Zimbabwe seems to be a thus-far-successful attempt to permanently shut down the only daily counter-weight to the propaganda coming out of government-controlled media which most people were able to access. The GOZ still remains the only game in town on TV and FM-radio. Now, except for three independent business weeklies whose price puts them out of the reach of the majority of people, the GOZ mouthpieces are the only daily newspapers.
SULLIVAN